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MAR 16 1993

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OF COUNSELBETTY ANN KANE*
FEDERAL RELATIONS ADVISOR*NOT ADMITTED TO THE BAR
**ADMITTED IN PENNSYLVANIA ONLYTERESA D. BAER
FREDERICK E. ELLROD III
LISA S. GELB
LARRINE S. HOLBROOKE
ELDRED INGRAHAM**
TILLMAN L. LAY
NICHOLAS P. MILLER
JOSEPH VAN EATON

March 16, 1993

VIA HAND DELIVERYMs. Donna R. Searcy
Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554Re: Ex Parte Presentation in MM Docket 92-266

Dear Ms. Searcy:

Pursuant to 47 C.F.R. § 1.1206, the undersigned submits this original and one copy of a letter disclosing an oral ex parte presentation.

On March 16, 1993, the undersigned and Nicholas P. Miller of Miller & Holbrooke, and Council President Richard Meehan, Councilmember James N. Mathias, Jr., City Solicitor Guy Ayres III, and Assistant City Manager Kathleen Mathias, all of the Town of Ocean City, Maryland, met on behalf of a coalition of municipalities and on behalf of Ocean City, Maryland, with Maureen O'Connell of the Federal Communications Commission. The meeting dealt with the municipalities' interests in the proceeding, subscribers' need for relief from monopoly pricing, the coalition's proposed model for cable rate regulation, the rates for cable service in Ocean City and recent retiering that has occurred there, and procedural issues. The enclosed materials concerning the history of rates for cable service in Ocean City were handed out at the meeting.

Very truly yours,

MILLER & HOLBROOKE

By

Tillman L. Lay

TLL/dmb

Enclosures

cc: Maureen O'Connell (via Hand Delivery)

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TOWN OF OCEAN CITY
OCEAN CITY, MARYLAND
CABLE TELEVISION RATES

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

	Basic Service	Expanded Basic	Rate
1984			\$8.75
1985			\$8.75
1986			\$8.75
1987			\$13.95
1988			\$14.95
1989			\$15.95
1990			\$16.95
1991	\$16.90	\$2.05	\$18.95
1992	\$17.75	\$2.95	\$20.70
1993	\$18.40	\$3.35	\$21.75
4/1/93	\$10.00	\$11.75	\$21.75

Penetration Rate 92% in season 79% out of season

31,500 in season customers

28,500 taking year 'round service

7,000 local Berlin/Ocean City/Fenwick

15,000 bulk and/or rentals

Services	Fees/Charges
Reconnection or Installation of Service	\$59.95
Additional Outlet with Converter	\$5.50
Additional Outlet without Converter	\$3.50
Hand Held Remote Control	\$2.50
Additional Remote Control	\$1.50
Converter Deposit (on new and seasonal)	\$50.00
Additional Outlet Installation	\$15.00
Transfer of Owner	\$15.00
Service Upgrade/Trip Charge	\$25.00

**TOWN OF OCEAN CITY
OCEAN CITY, MARYLAND
CABLE TELEVISION REPORT**

TCI, America's largest cable operator is the franchisee for the Town of Ocean City. As you may be aware, Ocean City is a premier family resort on the Atlantic Ocean. During the summer, on any given week, the town may have as many as 300,000 visitors enjoying our 10 miles of clean white beach. Ocean City actually encompasses 3.5 square miles, so although our town is 10 miles long, it is only 1/3 a mile wide on average.

TCI has a penetration rate of 92%, serving 31,500 customers in season. Of those customers, 28,500 choose to keep year 'round service even though only 7,000 are actually year 'round local residents.

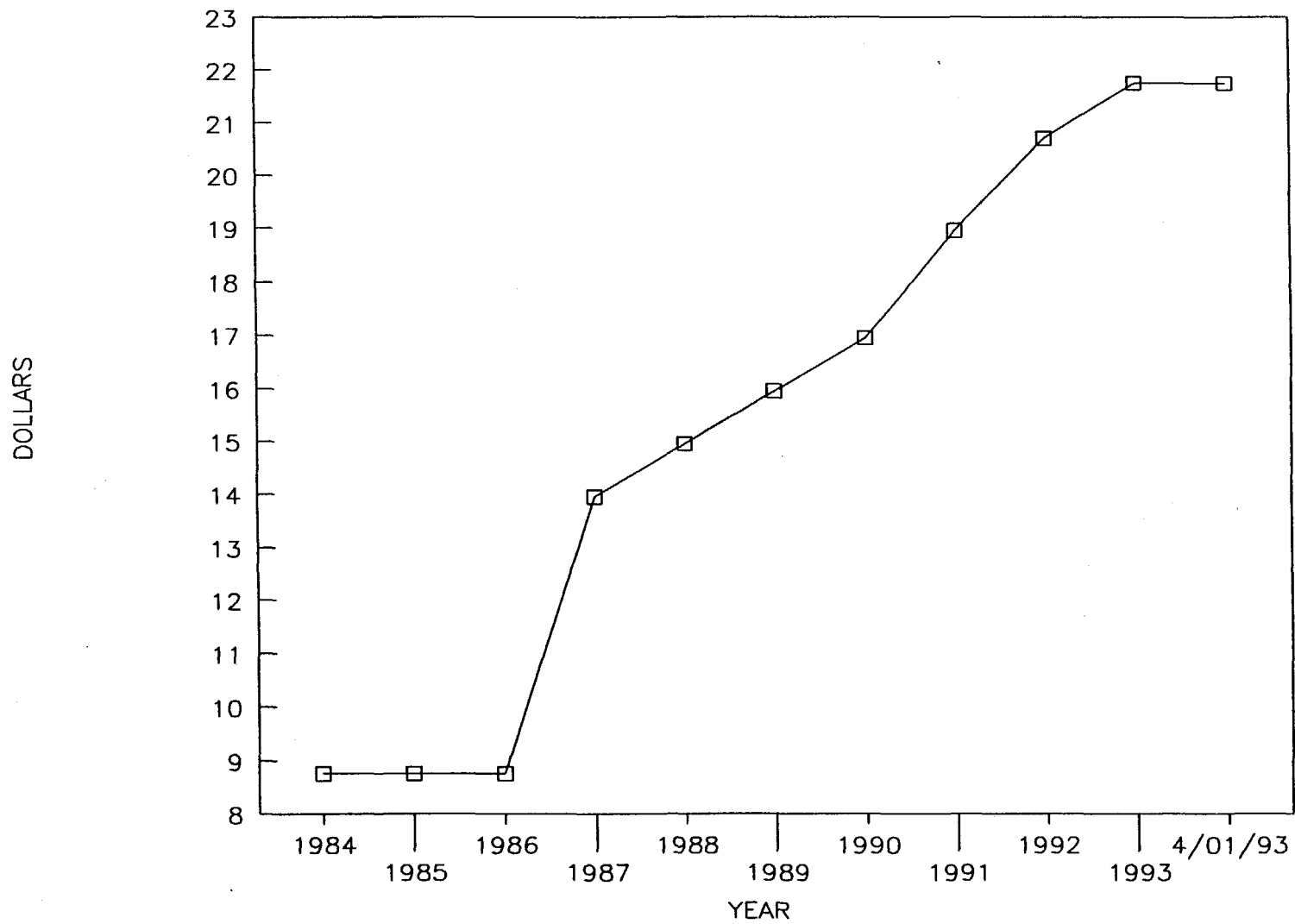
Since 1984 our cable rates for "basic" service have risen from \$8.75 to \$21.75. The cable operator does allow a 13% senior citizen discount on basic cable service.

According to financial reports provided by our operator, they showed an operating income in excess of \$4.2 million. Half of that money, or \$2.2 million, is paid to TCI's Corporate in the form of management fees.

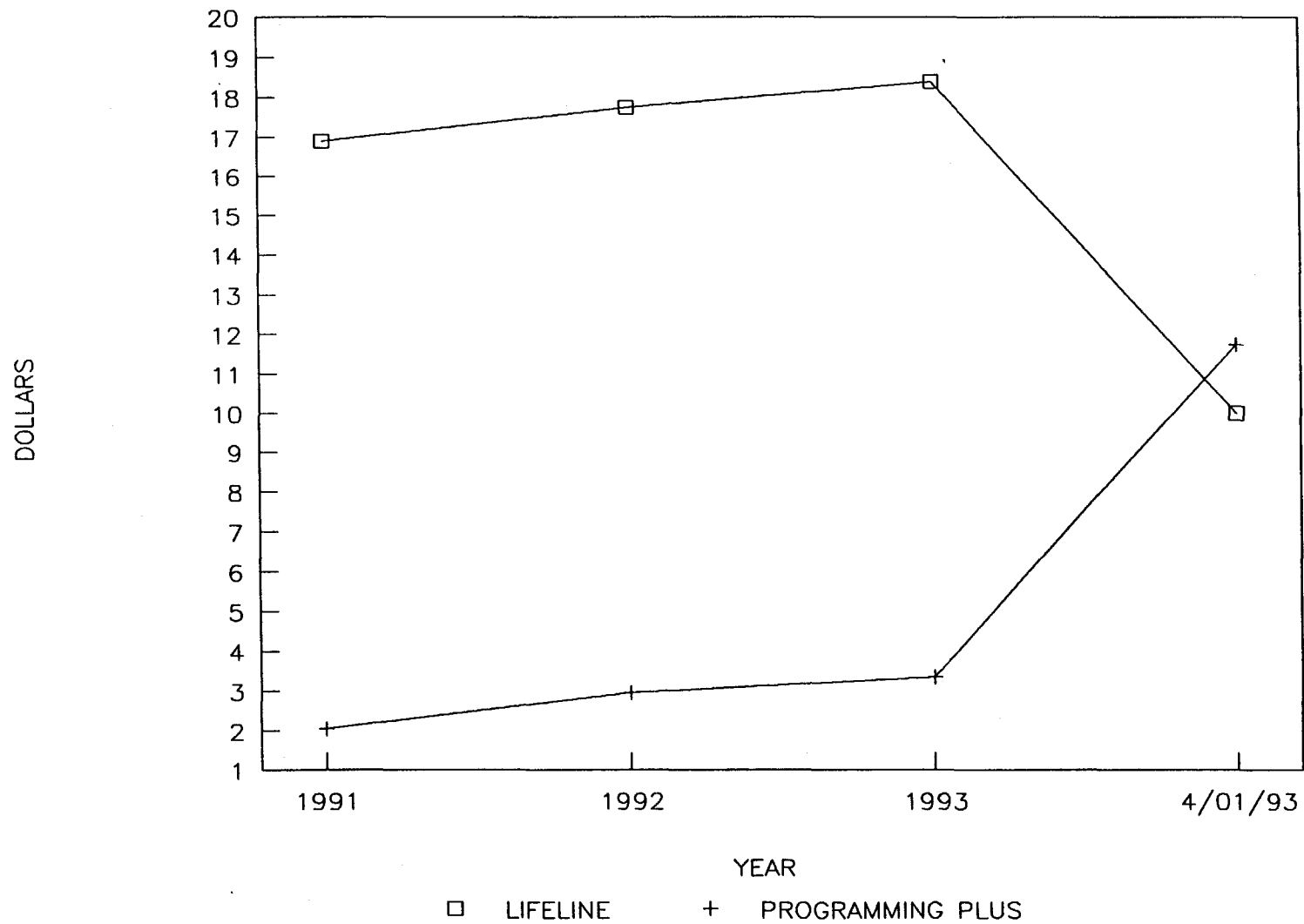
The Town is concerned about the retiering that has been going on in our franchise since 1991. Since Ocean City can only receive 2 broadcast signals without cable, it has become a necessity for our residents. Being a coastal area, subject to coastal storms and hurricanes, cable television is a critical means to notify and keep informed the 300,000 people in our resort. The retiering that will be effective April 1, 1993 removes one of the essential news links we have - CNN. This upcoming retiering removes CNN and WTBS and replaces it with "barker" channels for the local cable operation. According to TCI's records this amounts to 18c worth of programming costs per month, per subscriber. In turn they are reducing the basic (where CNN and WTBS are presently) by \$8.40 and increasing expanded basic by \$7.40 for no net change in the total rate.

Post-It™ brand fax transmittal memo 7671		# of pages > 2
To Kathy Mathias	From Carole Quillen	
Co. 40 Tim Lee	Co.	
Dept.	Phone #	
Fax # 202-785-1234	Fax # 289-7385	

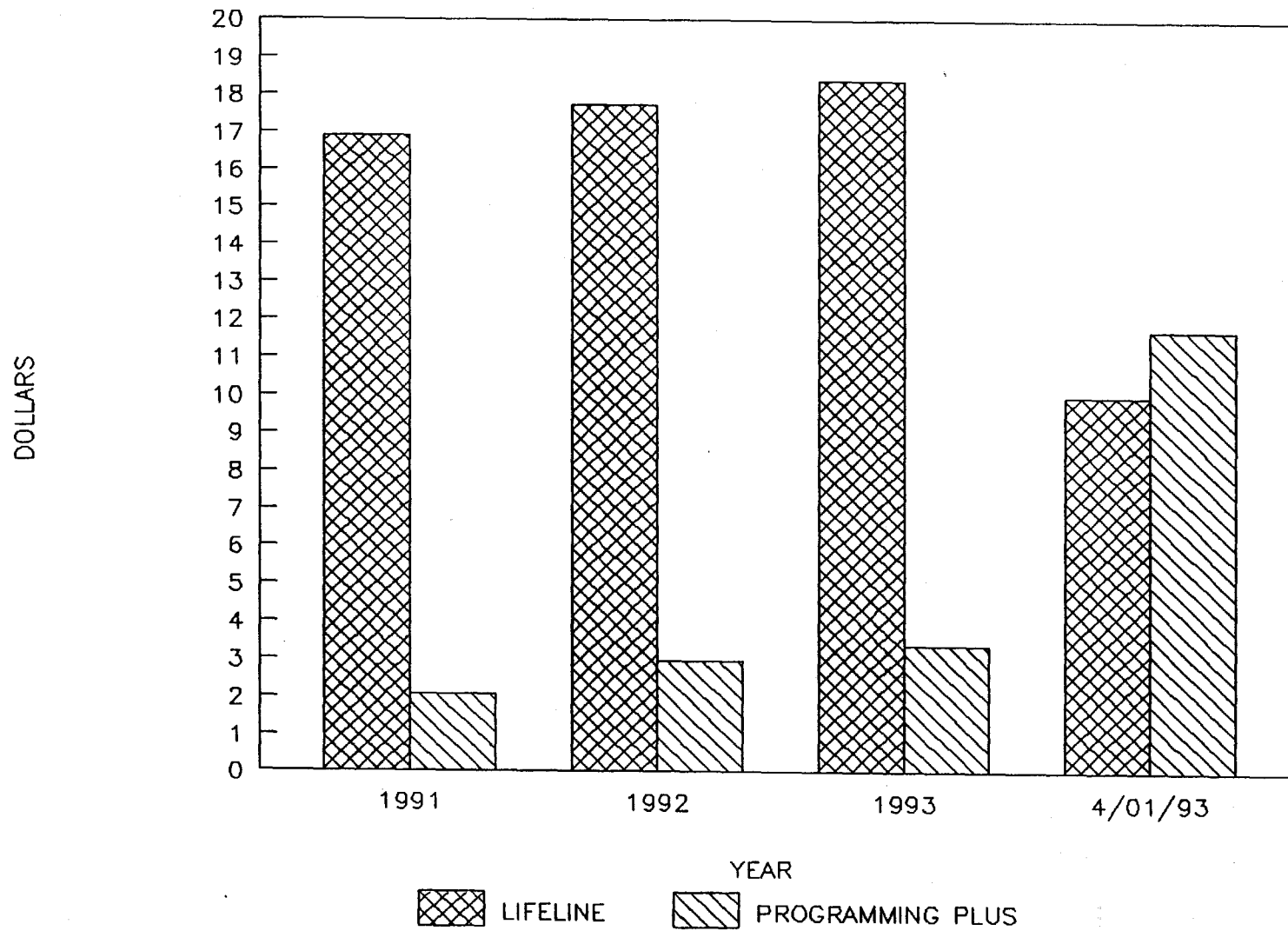
TOWN OF OCEAN CITY CABLE RATES



TOWN OF OCEAN CITY CABLE RATES



TOWN OF OCEAN CITY CABLE RATES



March 1993

TCI Collection of Eastern Shore
8301 Coastal Highway
Ocean City, MD 21842

***TCI Collection of Eastern Shore
is making important new changes
for the future of your cable.***

Dear TCI Collection Customer:

Many customers have requested a no frills, low-cost entry-level cable service and we've listened. TCI Collection of Eastern Shore is excited to be a part of a lower-cost option starting just very soon April 1, 1993.

Plus, in order to provide more options, we will be reconfiguring our two existing levels of service. These two levels of service will be called Broadcast Basic and Programming Plus. Broadcast Basic will consist of 12 channels (2 through 13). Programming Plus will consist of all the satellite channels (14, 26 through 56).

Broadcast Basic will consist of broadcast networks we currently carry, including the current local and distant ABC, CBS, NBC, as well as FOX, The Real Estate Channel, News Video Guide, and our exclusive Public, Commercial, and Educational Access channels.

Programming Plus which is an optional and separately priced service, will consist of other cable entertainment channels we currently offer, including WTNN, CNN, ESPN, USA, TNT, Discovery, Lifetime, The Weather Channel and much more.

Second, to provide these reconfigured levels of service, we must redesign our channels. Broadcast is a new channel line-up and rate card, effective April 1, 1993. We apologize for any inconvenience as we undertake this transition. If you have problems loading your favorite cable networks on the new line-up we have further questions, please give us a call at 410-324-3401 or 800-676-2288 (Ocean Maryland and Delaware). We're here to help.

PROCLAIMING PLUS CUSTOMERS

Good News! If you are a current Programming Plus customer:

- the total price for these previously requested services you have and currently enjoy will remain the same.

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and 11
• or 10.1
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Sincerely
by David
General
P.S. Be
has depl

KATHY MATHIAS

YES, I WANT CABLE TELEVISION

Name _____

Date Service is to begin ____/____/____

Social Security or Driver's License # (for ID use) _____

Mailing Address _____

(where you want _____

your bill sent) _____

Home Phone # (____) _____

Service Address _____

Bldg. Name _____ Unit # _____

"Beach" Phone # (____) _____

IMPORTANT! If you plan to rent your residence and would like your Pay-Per-View (PPV) access limited, please check "YES". To complete this restriction please create your own 4 Digit Personal Identification Number (PIN).

☐ YES, restrict PPV access on my account

_____ is my PIN and will be required prior to the acceptance of all PPV orders on my account.

I have read and understand the conditions regarding the provision of cable service.

Signature (Required) _____

Thank You

Rates and service are subject to change.

PLEASE COMPLETE THIS APPLICATION FOR SERVICE AND MAIL TO UNITED ARTISTS CABLE WITH FULL PAYMENT FOR A MINIMUM OF SIX MONTHS SERVICE

CONDITIONS OF SERVICE

1. This is a request for Cable Television Service. Certain charges outlined must accompany this application. In the event that the company has not supplied service by the date requested, applicant has the right to cancel this application and receive a refund of the charges paid for services that have not been rendered.
2. On accounts that receive bills for their cable television service, the charges are due and payable no later than the tenth of the billing month. Service will be disconnected when account is in arrears. Past-due charges, plus interest, will be legally collected. Reconnection will be provided with four months advance payment for service and normal reconnection charges.
3. There will be no extension, alterations or tampering with the company's equipment on the subscriber's property at any time under penalty of law.
4. The company will maintain the system to the best of its ability, but assumes no responsibility for interruptions due to circumstances beyond its reasonable control, such as, but not limited to, acts of God, power failures, equipment failures, etc.
5. If cable service is not performing properly, a technician will check and make corrections. There is no charge for this service. The company cannot be responsible for sat trouble. A company representative will be allowed to inspect its facilities either inside or outside the place of attachment.
6. There is a six month minimum charge for cable service. All new customers are required to pay the minimum six-month service charge, installation/reconnection and a converter deposit in advance at the time request is made.
7. The enclosed application requires a minimum of six months cable service. **UNITED ARTISTS CABLE WILL NOT AUTOMATICALLY DISCONNECT YOUR CABLE SERVICE AT THE CONCLUSION OF YOUR INITIAL SIX MONTH TERM. ANY DISCONNECTION OF SERVICE MUST BE REQUESTED BY THE CUSTOMER IN WRITING. THIS CAN BE DONE VIA MAIL, (UNITED ARTISTS CABLE, P.O. BOX 640, OCEAN CITY, MD 21842) ATTENTION: CUSTOMER SERVICE) OR BY FAX (301-824-2335). Liability for service charges continues until the company receives such notification. Any refund due will be sent to the customer provided all cable equipment has been returned and the six month minimum service requirement fulfilled.**

8. In the event that you fail to achieve satisfaction through company personnel, please address your written complaint to: Operational Manager, United Artists Cable, P.O. BOX 640, Ocean City, MD 21842. The Operational Manager shall investigate all complaints within three days of their receipt and shall in good faith attempt to resolve them swiftly and equitably. In the event that you are still unsatisfied, you may address your complaint to one of the following government officials, who is responsible for receiving and acting upon any unresolved complaints:
Town of Ocean City: Office of the Mayor, Town of Ocean City, City Hall, Ocean City, MD 21842.
Town of Berlin: Office of the Town Manager, Town of Berlin, P.O. Box 7, Berlin, MD 21811.
Sussex County DE: Delaware Public Service Commission, 1500 S. DuPont Highway, P.O. Box 457, Dover, DE 19901.

Kathy - These are being reprinted to reflect name change and other changes. This is part of our customer handbook.